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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,135	02/27/2004	Daryl B. Olander	ORACL-01401US0	9244
23910	7590	01/11/2010	EXAMINER	
FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108			HEFFINGTON, JOHN M	
			ART UNIT	PAPER NUMBER
			2179	
			NOTIFICATION DATE	DELIVERY MODE
			01/11/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OFFICEACTIONS@FDML.COM

Office Action Summary	Application No. 10/789,135	Applicant(s) OLANDER ET AL.	
	Examiner JOHN HEFFINGTON	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 27-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 27-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/9/09, 10/9/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to the amendment filed 9 October 2009. Claims 1, 3, 5-9, 27, 29, 31-35, 37 and 40 have been amended. Claims 14-26 have been canceled. Claims 41 and 42 have been added. Claims 1-13 and 27-42 are pending and have been considered below.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9 October 2009 has been entered.

Response to Arguments

Applicant's arguments with respect to claim 1-13 and 27-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

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applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-13 and 27-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Burd et al. (US 6,961,750 B1).

Claims 1, 27 and 40: Burd discloses a method, machine readable medium having instructions stored thereon and computer-readable storage medium for accepting a request in order to generate a response, comprising:

- a. mapping the request to a control tree factory (column 6, lines 59-60);
- b. generating a control tree from the factory based on the request (column 6, lines 61-67), wherein;
- c. the control tree can include a plurality of controls, wherein each control of the plurality of controls represents a graphical element of a graphical user interface (GUI) (column 9, lines 9-13);
- d. initializing the plurality of controls (column 19, lines 18-19), and allowing each control of the plurality of controls to at least one of:
- e. specify events that each said control listens for and register events that each said control can raise (column 9, lines 32, column 17, lines 31);
- f. associating at least one event handler (column 9, lines 29-32)

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- g. with at least one control in the plurality of controls to handle an event raised by another control in the plurality of controls using a callback mechanism; (column 42, lines 42-45);
- h. advancing the control tree through at least one lifecycle stage based on the request and updating the control tree (column 17, lines 27-29, column 16, lines 26-30);
- i. generating the response based on the control tree that is updated wherein the response can be used to render at least a portion of a graphical user interface (GUI) (column 16, lines 26-30);

Claims 2 and 28: Burd discloses the method, machine readable medium of claims 1 and 27 and Burd further discloses the step of generating a control tree from the factory comprises: creating a metadata representation of a control tree; and constructing the control tree based on the metadata representation (column 6, lines 56-57, column 9, lines 36-40).

Claims 3 and 29: Burd discloses the method, machine readable medium of claims 1 and 27 and Burd further discloses: the request one of: an hypertext transfer protocol request (HTTP), simple mail transfer protocol request, an instant messaging request, a request based on a standard protocol; and a request based on a proprietary protocol (column 6,

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lines 56-67; and the request originates from one of: a web browser, a instant messaging window, and a process (column 3, lines 23).

Claims 4 and 30: Burd discloses the method, machine readable medium of claims 1 and 27, and Burd further discloses providing the response to a web browser (column 3, lines 23).

Claims 5 and 31: Burd discloses the method and computer readable medium of claims 1 and 27, and Burd further discloses the control tree is driven through the at least one lifecycle stage by an interchangeable lifecycle component, wherein the interchangeable lifecycle driver isolates lifecycle driver implementation details from a container of the control tree and allows different lifecycle implementations to be interchanged (column 5, lines 62-64, column 6, lines 38-40, column 8, lines 12-13).

Claims 6 and 32: Burd discloses the method, machine readable medium of claims 1 and 27, and Burd further discloses the at least one of the plurality of controls has an interchangeable persistence mechanism (column 16, lines 1-3)

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Claims 7 and 33: Burd discloses the method and machine readable medium of claims 1 and 27 and Burd further discloses that the at least one of the plurality of controls can render itself according to a theme (column 11, lines 1-6)

Claims 8 and 34: Burd discloses the method and machine readable medium of claims 1 and 27 and Burd further discloses at least one of the plurality of controls can interact with another one of the plurality of controls (column 3, lines 57-61, column 9, lines 12-17).

Claims 9 and 35: Burd discloses the method and machine readable medium of claims 1 and 27 and Burd further discloses at least one of the plurality of controls can advance through the at least one lifecycle stage in parallel with another one of the plurality of controls (column 15, lines 37-47).

Claims 10 and 36: Burd discloses the method and machine readable medium of claims 1 and 27 and Burd further discloses the lifecycle stage is one of: init, load state, create child controls, load, raise events, pre-render, render, save state, unload and dispose; and wherein the lifecycle stage is part of a dynamically configurable lifecycle (column 15, lines 37-47).

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Claims 11 and 37: Burd discloses the method and machine readable medium of claims 1 and 27 and Burd further discloses the response is one of: an hypertext transfer protocol (HTTP) response, a simple mail transfer protocol response, an instant messaging response, a response based on a standard protocol, and a response based on a proprietary protocol (column 6, lines 56-67).

Claims 12 and 38: Burd discloses the method and machine readable medium of claims 1 and 27 and Burd further discloses controls can raise events and respond to events (column 9, lines 29-32, column 13, lines 42-45).

Claims 13 and 39: Burd discloses the method and machine readable medium of claims 1 and 27 and Burd further discloses the at least one control can be one of: Book, Page, Window, Menu, Layout, Portlet, Theme, Placeholder, Shell, LookAndFeel, Desktop, Body, Footer, Header, Head, Titlebar, ToggleButton, TreeView, TreeViewWithRadioButtons, TextBox, TextArea, Label, Button and Anchor (column 15, lines 1-5).

Claim 41: Burd discloses the method of claim 1 and Burd further discloses creating one or more new controls in the control tree by the event handler to handle an event raised

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by another control in the control tree that requires rendering of the one or more new controls (column 7, lines 37-45).

Claim 42: Burd discloses the method of claim 1 and Burd further discloses the control tree factory is a streaming control tree factory that creates a control tree from an XML stream (column 5, lines 21).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN M. HEFFINGTON whose telephone number is (571)270-1696. The examiner can normally be reached on Mon - Fri 8:00 - 5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SARA HANNE/
Primary Examiner, Art Unit 2179

JMH
12/22/09